

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. 96-048

NPDES PERMIT NO. CA0037851

AMENDMENT OF WASTE DISCHARGE REQUIREMENTS FOR:

LAS GALLINAS VALLEY SANITARY DISTRICT
SEWAGE TREATMENT PLANT
SAN RAFAEL, MARIN COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. The Board adopted Waste Discharge Requirements Order No. 92-090 on August 19, 1992, for Las Gallinas Valley Sanitary District (hereinafter called the discharger), for discharge under the National Pollutant Discharge Elimination System (NPDES).
2. The discharger presently discharges an average dry weather flow of 1.71 million gallons per day from its advanced secondary treatment facility into Miller Creek, a tributary of San Pablo Bay. The discharge is, however, prohibited from June 1 through August 31. During this period, the effluent is disposed of through spray irrigation to pasture and through Marin Municipal Water District's reclamation program. The three month discharge prohibition results in reclamation of approximately 25% of the total annual dry weather flow.
3. The discharge does not receive an initial dilution of 10:1 at all times. Order No. 92-090 established more stringent shallow water effluent limits based on a dilution ratio of zero. The effluent limits for toxic substances specified in Order No. 92-090 was based on water quality objectives contained in the 1991 State Water Quality Control Plan For Enclosed Bays and Estuaries of California and the 1992 Proposed Basin Plan Amendments to the December 1986 Water Quality Control Plan for the San Francisco Bay Basin.
4. Four municipalities and one private company filed suit challenging the Enclosed Bays and Estuaries Plan. In March 1994, the court issued a final decision which invalidated the Enclosed Bays and Estuaries Plan primarily on procedural issues. As a result of this final court decision, the State Board remanded all sections of the 1992 Basin Plan amendments related to implementation of the Enclosed Bays and Estuaries Plan.

5. At the time of permit reissuance in August 1992, discharge data indicated that the discharger would not be able to comply with the limits for copper, zinc, mercury, and silver. Order No. 92-090 specified a compliance time schedule for the discharger to achieve final compliance. The compliance schedule established two sets of interim limits for each of these four metals and required the discharger to implement an aggressive source control program. The first set of interim limits (30 ug/l, 100 ug/l, 0.6 ug/l and 3.1 ug/l for copper, zinc, mercury and silver respectively) was established using the 95th percentile performance (using 1987-1991 performance data) and was in effect from August 19, 1992 to September 1, 1994. The second set of interim limits (17 ug/l, 93 ug/l, 0.3 ug/l and 2.7 ug/l for copper, zinc, mercury and silver respectively) was the midpoint value from the first interim limit to the water quality based final limit (2.9 ug/l, 86 ug/l, 0.01 ug/l and 2.3 ug/l for copper, zinc, mercury and silver respectively) and was in effect from September 1, 1994 to April 11, 1996.
6. Footnote "k" and "m" to Order No. 92-090's effluent limitations B.9.b Table 2 are related to these limits and allow for permit modification:
 - "k. This limit is an interim limit, in effect until April 11, 1996. The default limits shall be the marine water quality based limits located in the Table 2, Final Limits column. This interim limit is the midpoint value from the first interim limit (95th percentile) to the water quality based final limit. Based on satisfactory progress in the waste minimization program, the discharger may petition the Board to amend this permit to incorporate a different interim limit."
 - "m. The discharger may petition the Board to amend this Order to incorporate interim limits where justified by the discharger's inability to meet the Table 2 limit and where the discharger is participating in the waste minimization program for the targeted constituent."
7. By letter of February 29, 1996 and its attachment (February 2, 1996 EOA letter to RWQCB), the discharger made a request for amendment of these effluent limits.
8. The discharger, pursuant to the requirements of Order No. 92-090, prepared a source reduction plan for these targeted pollutants in 1993. By the end of 1995, the discharger, in conjunction with Central Marin Sanitation Agency, had effectively completed all the identified tasks, including permitting and inspection of targeted users and public outreach efforts.
9. The discharger has identified as a high priority task to work with the water suppliers to identify potential additional measures to further reduce potable water corrosivity and zinc concentration (due to zinc orthophosphate usage for corrosion control).

10. The discharger has also initiated a preliminary in-plant metals removal study to assess the metals removal capabilities of the treatment plant and to investigate potential ways to increase removals.
11. The discharger has indicated that it is currently unable to meet the final limits for these four metals even with the implementation of an aggressive waste minimization program.
12. Based on careful consideration of the discharger's implementation of a satisfactory waste minimization program, the discharger's implementation of the in-plant metals removal study, and the discharger's current inability of compliance, the Board concludes that the effective dates of the existing second interim effluent limits for copper (17 ug/l), zinc (93 ug/l), mercury (0.3 ug/l) and silver (2.7 ug/l) in Order No. 92-090 shall be extended from April 11, 1996 to the full term of the permit (August 19, 1997) to allow the discharger additional time to fully implement the programs described above and the requirements ordered below, and to allow the discharger additional time to identify and evaluate other possible ways of further reducing metal discharges into the Bay. In evaluating compliance with the interim limits, a 95th percentile value for each of the four metals will be used.
13. The amendment of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13) of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
14. The Board has notified the discharger and interested agencies and persons of its intent to consider this matter, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
15. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the prohibitions, effluent limitations, receiving water limitations, and provisions as specified in Order No. 92-090, except as amended here in this Order and described below:

A. Provisions

1. The discharger shall continue to aggressively implement and expand its waste minimization program and report progress satisfactory to the Executive Officer in its annual reports.

2. The discharger shall submit a work plan acceptable to the Executive Officer by October 18, 1996 describing plans to exploit possibilities of improving metal removal from its treatment units by adjusting treatment operations.
3. The discharger shall investigate possibilities of expanding its reclamation program to further reduce discharge to the Bay and shall submit a summary report acceptable to the Executive Officer by November 18, 1996 describing the results of the investigation.

B. Effluent Limitations

1. The effective dates of the existing second interim effluent limits for copper (17 ug/l), zinc (93 ug/l), mercury (0.3 ug/l) and silver (2.7 ug/l) in Order No. 92-090 shall be extended from April 11, 1996 to the full term of the permit (August 19, 1997). In evaluating compliance with the interim limits, a 95th percentile value for each of the four metals will be used.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 17, 1996.


LORETTA K. BARSAMIAN
Executive Officer